

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HARRY SMITH, JR., and ROSLYN)
WOODARD SMITH, individually and as)
Administrators of the ESTATE OF HARRY)
SMITH, III,)

Plaintiffs)

v.)

Civil Action No. 04-1254 GMS

JOHN CIRITELLA, THOMAS DEMPSEY,)
and MATTHEW KURTEN,)

Defendants.)

JUDGMENT

This action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict on April 17, 2007. The verdict was accompanied by a verdict form (D.I. 213), a copy of which is attached hereto. Therefore,

IT IS HEREBY ORDERED AND ADJUDGED that judgment be and is hereby entered
IN FAVOR of the defendants, JOHN CIRITELLA, THOMAS DEMPSEY AND
MATTHEW KURTEN, AND AGAINST the plaintiffs, THE ESTATE OF HARRY
SMITH III, ROSALYN SMITH AND HARRY SMITH JR.

Dated: April 30, 2007

/s/ Gregory M. Sleet
UNITED STATES DISTRICT JUDGE